

House Engrossed

State of Arizona
House of Representatives
Forty-fifth Legislature
Second Regular Session
2002

CHAPTER 120

HOUSE BILL 2041

AN ACT

AMENDING SECTION 11-807, ARIZONA REVISED STATUTES; RELATING TO COUNTY POWERS.

(TEXT OF BILL BEGINS ON NEXT PAGE)



1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 11-807, Arizona Revised Statutes, is amended to
3 read:

4 11-807. Boards of adjustment; powers; appeals

5 A. There shall be one or more boards of adjustment composed of not
6 less than three nor more than five members each, one of which shall be
7 appointed in and shall have jurisdiction in each supervisorial district in
8 which the zoning ordinance has been applied. The members of each board shall
9 be appointed for staggered terms of four years each. They shall be residents
10 and taxpayers of the district from which appointed.

11 B. The board of adjustment may:

12 1. Interpret the zoning ordinance when the meaning of any word, phrase
13 or section is in doubt, when there is dispute between the appellant and
14 enforcing officer, or when the location of a district boundary is in doubt.

15 2. Allow a variance from the terms of the ordinance when, owing to
16 peculiar conditions, a strict interpretation would work an unnecessary
17 hardship, if in granting such variance the general intent and purposes of the
18 zoning ordinance will be preserved.

19 C. Appeals to an adjustment board may be taken by any person who feels
20 that there is error or doubt in the interpretation of the ordinance or that
21 due to unusual circumstances attaching to the person's property an
22 unnecessary hardship is being inflicted on the person. The appeal shall
23 state whether it is a plea for an interpretation or a variance and the
24 grounds for the appeal.

25 D. Any person aggrieved in any manner by an action of a board of
26 adjustment may within thirty days appeal to the superior court, and the
27 matter shall be heard de novo as ~~appeals from courts of justices of the~~
28 ~~peace.~~

~~APPROVED BY THE GOVERNOR MAY 1, 2002.~~

~~FILED IN THE OFFICE OF THE SECRETARY OF STATE MAY 2, 2002.~~

Passed the House April 8, 2002,

by the following vote: 47 Ayes,

5 Nays, 8 Not Voting

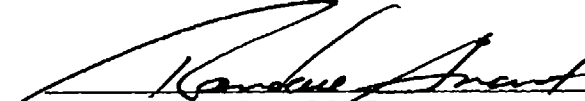

Speaker of the House

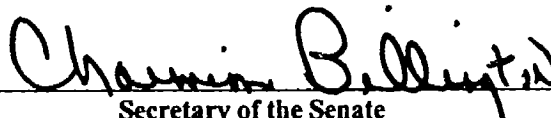

Chief Clerk of the House

Passed the Senate April 25, 2002

by the following vote: 28 Ayes,

0 Nays, 2 Not Voting


President of the Senate

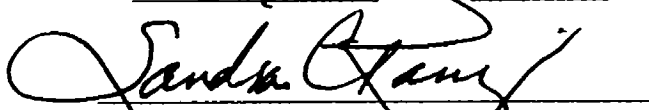

Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

This Bill was received by the Governor this

29 day of April, 2002

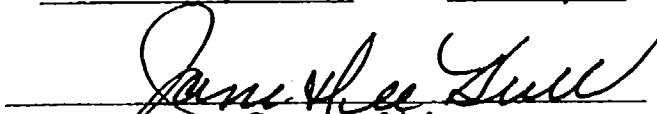
at 3:23 o'clock P M.


Secretary to the Governor

Approved this 1 day of

May, 2002

at 3:15 o'clock P M.


Governor of Arizona

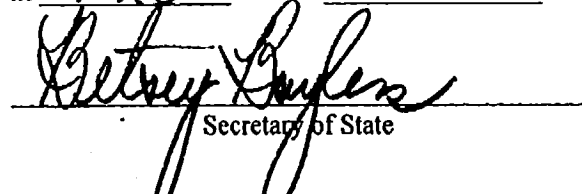
H.B. 2041

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill was received by the Secretary of State

this 2nd day of May, 2002

at 4:23 o'clock P M.


Secretary of State